

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 8:06CR411
Plaintiff,)
)
v.) USM No: 21292-047
)
BUFFIE LYNN KACKLEY,) David R. Stickman
Defendant.) Defendant's Attorney
Date of previous judgment: May 31, 2007)
Date of previous sentence reduction: July 10, 2008)
Date of Amended Judgment (Rule 35): February 10, 2009)

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon the motion of the Defendant under 18 U.S.C. § 3582(c)(2) and Amended Stipulation for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion and Amended Stipulation,

IT IS ORDERED that the motion (Filing No. 104) and the Amended Stipulation (Filing No. 107) are GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 85 months is reduced to time served. The Stipulation (Filing No. 105) is DENIED as moot.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>29</u>	Amended Offense Level: <u>23</u>
Criminal History Category: <u>VI</u>	Criminal History Category: <u>VI</u>
Previous Guideline Range: <u>151</u> to <u>188</u> months	Amended Guideline Range: <u>120</u> to <u>120</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range. The fine range is \$10,000-\$4,000,000.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the Amended Judgment dated February 10, 2009, shall remain in effect.

IT IS SO ORDERED.

Dated this 19th day of January, 2012
Effective Date: January 12, 2012

s/Laurie Smith Camp
Chief United States District Judge